

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CHRIS MONET,)	Case No.: 10-CV-00135-LHK
)	
Plaintiff,)	ORDER DISMISSING CLAIMS
v.)	AGAINST CHASE HOME FINANCE
)	LLC WITH PREJUDICE
CHASE HOME FINANCE LLC, and DOES 1-)	
30,)	
)	
Defendants.)	

On October 14, 2011, Plaintiff filed a Notice of Voluntary Dismissal “dismissing all claims in this action as to Defendant CHASE HOME FINANCE LLC.” ECF No. 90. Where a litigant seeks dismissal after the opposing party serves either an answer or a motion for summary judgment, the action may be dismissed only by court order. Fed. R. Civ. P. 41. As Defendant Chase Home Finance has not filed any counterclaims in this action, the Court orders all claims against Chase Home Finance DISMISSED WITH PREJUDICE.

In addition, the Court orders Plaintiff to indicate by October 17, 2011 whether he intends to dismiss his Doe claims. Otherwise, the final pre-trial conference in this case remains as set on October 19, 2011 and trial remains as set on October 24, 2011.

IT IS SO ORDERED.

Dated: October 14, 2011



LUCY H. KOH
United States District Judge